

### **REMARKS**

Claims 1-99 are pending in the present application. No claims were canceled or added. Claims 1, 6-11, 17, 18, 20, 21, 35, 36, 39-44, 50, 51, 53, 54, 68, 71-76, 82, 83, 85 and 86 were amended. Reconsideration of the claims is respectfully requested.

#### **I. Objection to Claims**

The Examiner has objected to claims 17, 50 and 82 because of the following informalities. In claim 17, the phrase "the method of claim 15" should be "the method of claim 16." In claim 50, the phrase "the method of claim 48" should be "the method of claim 49." In claim 82 the phrase "the method of claim 80" should be "the method claim 81."

By the present Amendment, claims 17, 50 and 82 have been amended to refer to the correct claims. Withdrawal of the objection to the claims is, accordingly, respectfully requested.

#### **II. 35 U.S.C. § 102, Anticipation, Claims 1-12, 14-15, 20, 24-25, 31-32, 35, 37-45, 47-48, 53, 57-58, 64-65, 69-77, 79-80, 85, 89-90, and 96-97**

The Examiner has rejected claims 1-12, 14-15, 20, 24-25, 31-32, 35, 37-45, 47-48, 53, 57-58, 64-65, 69-77, 79-80, 85, 89-90, and 96-97 under 35 U.S.C. § 102 as being anticipated by Appelman (U.S. Patent No. 6,750,881). This rejection is respectfully traversed.

As per independent claim 1, the Office Actions states:

As per claim 1, Appelman teaches a method in a data processing system within a peer-to-peer network managing processing of requests, the method comprising:

receiving a request from a requestor; comparing preferences within the request to a policy to form a comparison, wherein the policy controls responses by the data processing system to the requests; and selectively responding to the request based on comparison (column 6, lines 52-67 and Figure 11).

Office Action dated October 4, 2004, page 3.

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). The Appelman reference cited by the Examiner does not anticipate the present invention as recited in claim 1, because Appelman fails to teach each and every element of claim 1.

Independent claim 1, which is representative of independent claims 35, 36 and 68 regarding similarly recited subject matter, recites:

1. A method in a data processing system within a peer-to-peer network managing processing of requests, the method comprising:
  - receiving a request from a user;
  - comparing preferences within the request to a policy to form a comparison, wherein the policy controls responses by the data processing system to the requests; and
  - selectively responding to the request based on the comparison.

Appelman does not teach each and every feature of the presently claimed invention in claim 1. Specifically, Appelman does not teach the feature of "receiving a request from a user." The Examiner points to column 6, lines 52-67 and Figure 11 as teaching this feature. Figure 11 of Appelman is reproduced below for the convenience of the Examiner.

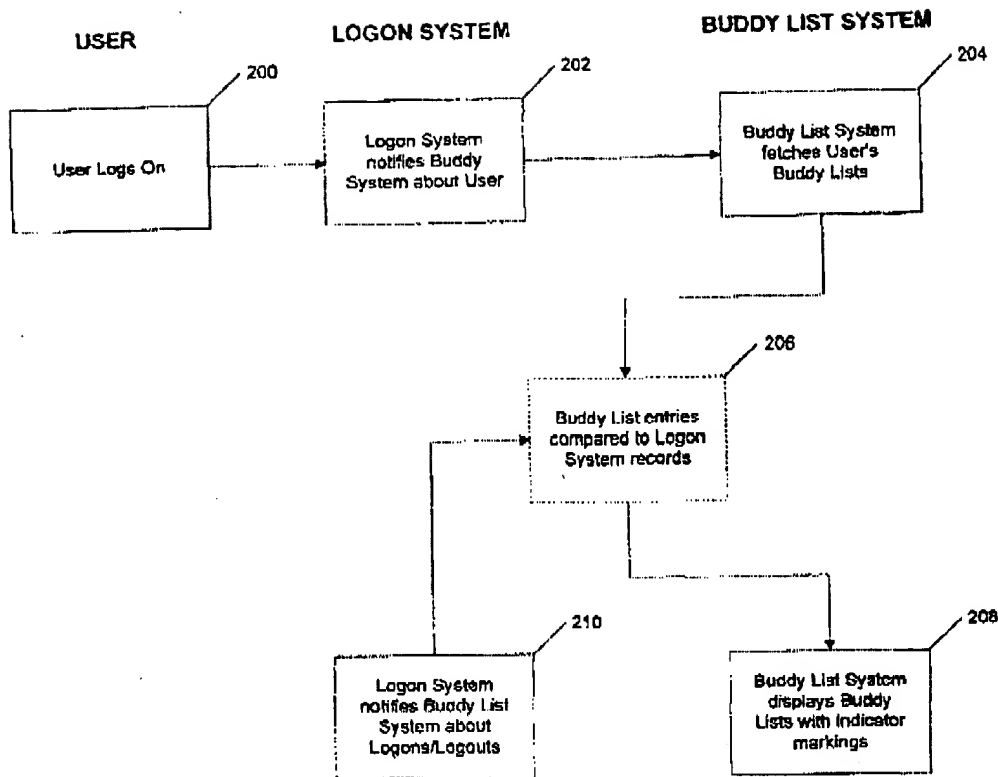


FIG. 11

Column 6, line 52 through column 7, line 2 of Appelman reads as follows:

**FIG. 11** is a flowchart showing an implementation of the invention. A User logs in to a Logon System in conventional fashion (Step 200). The Logon System performs normal logon procedures (e.g., requesting a user ID and or a password) and notifies the Buddy List System about the User (i.e., passes the User's ID, address, or screen name to the Buddy List System) (Step 202). The Buddy List System accesses that User's Buddy Lists from a database, which may be, for example, on the user's station 12 (Step 204). The entries in the User's Buddy Lists are then compared to the records of the Logon System (Step 206). This step is shown in dotted outline to indicate that the comparison can be done by passing records from the Logon System to the Buddy List System, or vice versa, or could be done a separate system. The Buddy List System then displays a Buddy List window showing the status (i.e., logged in or not) of the co-users on the User's Buddy Lists with any of various indicator markings (Step 208).

The above cited passage of Appelman does not teach the feature "receiving a request from a user." Instead, the above cited passage teaches when a user signs on, he or she is automatically notified as to which buddies from their buddy list are currently signed on as well. The user does not make any request. The Logon System, in the course of normal logon procedures, not the user, asks for a user ID and/or a password. This information is then passed on to the Buddy List System. The Buddy List System then fetches the user's buddy list from a database and compares the IDs on the list to those users currently logged on. This is merely a process wherein the names on the user's buddy lists are compared to a list of the currently on-line users and the status of the buddy is indicated as either on line or not on-line. Therefore, Appelman does not teach the feature of "receiving a request from a user," as recited in claim 1 of the present invention. Thus, Appelman does not anticipate the present invention as recited in claim 1, because Appelman fails to teach each and every element of claim 1.

Additionally, Appelman does not teach the feature of "comparing preferences within the request to a policy to form a comparison, wherein the policy controls responses by the data processing system to the requests." The Examiner points to Column 6, lines 52 - 67, cited above, as teaching this feature. However, the above cited passage does not teach this feature. As was discussed above, Appelman does not teach "receiving a request from a user." Therefore, as Appelman does not teach "receiving a request from a user," it follows that Appelman does not teach "comparing preferences within the request to a policy to form a comparison, wherein the policy controls responses by the data processing system to the requests." However, even if Appelman did teach "receiving a request from a user," which it does not, as indicated above, the above cited passage of Appelman still does not teach the feature of "comparing preferences within the request to a policy to form a comparison, wherein the policy controls responses by the data processing system to the requests." Appelman does not teach or suggest any preferences in a request. Appelman teaches checking to see if a buddy is logged on or not. There are no preferences involved in this activity. Further, no comparison is made against a policy. All that is being done is seeing if a user name on a buddy list is currently logged on, which does not involve a policy. Therefore Appelman does not teach the feature of "comparing preferences within the request to a policy to form a comparison, wherein the

policy controls responses by the data processing system to the requests,” as recited in claim 1 of the present invention. Thus, Appelman does not anticipate the present invention as recited in claim 1, because Appelman fails to teach each and every element of claim 1.

Further, Appelman does not teach the feature of “selectively responding to the request based on the comparison.” Appelman does not teach making any selection or responding selectively. The above cited passage teaches telling the user if each and every buddy on their buddy list is logged on or off. This is not “selectively responding to the request.” Therefore Appelman does not teach the feature of “selectively responding to the request based on the comparison.” Thus, Appelman does not anticipate the present invention as recited in claim 1, because Appelman fails to teach each and every element of claim 1.

Therefore, for all the reasons stated above, Applicants believe that Appelman does not teach all the features of independent claims 1, 35, 36 and 68. Accordingly, Applicants respectfully submit that claims 1, 35, 36 and 68 are patentable over the Appelman reference.

Claims 2-12, 14, 15, 20, 24, 25, 31 and 32 are dependent claims that depend from independent claim 1. Claims 37-45, 47, 48, 53, 57, 58, 64 and 65 are dependent claims that depend from independent claim 36. Claims 69-77, 79, 80, 85, 89, 90, 96 and 97 are dependent claims that depend from independent claim 68. As Applicants have already demonstrated that independent claims 1, 36 and 68 are patentable over the Appelman reference, Applicants submit that dependent claims 2-12, 14, 15, 20, 24, 25, 31, 32, 37-45, 47, 48, 53, 57, 58, 64, 65, 69-77, 79, 80, 85, 89, 90, 96 and 97 are also patentable over the Appelman reference at least by virtue of depending from an allowable claim. Consequently, Applicants respectfully submit that the rejection of claims 2-4, 6-10, 12-14, 16, 17, 20, 22 and 23 have been overcome. Additionally, several dependent claims recite other additional combinations of features not suggested by the Appelman reference.

For example, claims 4, 37 and 69 recite the feature of “wherein the preferences provide parameters for which a response is desired.” Appelman does not teach or suggest this feature. The Examiner points to column 3, lines 48-63 and Figure 2b as teaching this feature:

**FIG. 2b** is a set of symbolic data records showing the basic types of data used by one embodiment of the invention for a Permissions List 34, and the conceptual relationship of data elements. Each user in the system has an associated Block Status code. If a user's Block Status code is equivalent to "none", then no co-user may enter that user into the co-users buddy lists. If a user's Block Status code is equivalent to "all", then all co-users may enter that user into their buddy lists. If a user's Block Status code is equivalent to "all except", then all co-users except those entered in a linked Exclusion List 36 may enter that user into their buddy lists. If a user's Block Status code is equivalent to "none except", then only co-users entered in a linked Inclusion List 38 may enter that user into the co-user's buddy lists. In one embodiment, a user may only have one of an Inclusion List 36 and an Exclusion List 48.

The above cited paragraph does not teach the feature of "wherein the preferences provide parameters for which a response is desired." Instead, the passage teaches about a Permissions List. The Permissions List contains a field called Block Status. This field stores the type of permission that the user has given regarding other users being able to add the user to their buddy lists. The above cited paragraph does not teach anything about requests or preferences within requests. The type of information discussed in the above cited paragraph is more like a policy. Therefore Appelman does not teach the feature of "wherein the preferences provide parameters for which a response is desired." Thus, Appelman does not anticipate the present invention as recited in claims 4, 37 and 69 because Appelman fails to teach each and every element of claims 4, 37 and 69.

Similarly claims 5, 38 and 70 recite the feature of "wherein the preferences provide parameters for which a response is not desired." Appelman does not teach or suggest this feature. The Examiner points to column 3, lines 48-63 and Figure 2b as teaching this feature. As was discussed above regarding claims 4, 37 and 69, the above cited passage of Appelman does not teach requests or preferences contained in the requests. Therefore, for the same reasons, it follows that Appelman does not teach the feature of "wherein the preferences provide parameters for which a response is not desired." Thus, Appelman does not anticipate the present invention as recited in claims 5, 38 and 70, because Appelman fails to teach each and every element of claims 5, 38 and 70.

Claims 7, 40 and 72 recites the feature of "wherein the data processing system responds to the request if the policy indicates that the data processing system is associated with an employer." Appelman does not teach or suggest this feature. The Examiner points to column 3, lines 34-47 and Figure 2a as teaching this feature:

FIG. 2a is a set of symbolic data records showing the basic types of data used by the Buddy List System 26, and the conceptual relationship of data elements. A Group Name table 30 stores user-defined group names for buddy lists. Each user may define multiple buddy lists by group names (two being shown by way of example). Each group name in the Group Name table 30 has an associated Buddy List table 32, comprising multiple records. Each Buddy List table 32 record corresponds to a co-user ("buddy") that the user wishes to track. In the preferred embodiment, the record includes data elements for the screen name (or address, such as an Internet address) of a particular co-user to be tracked, and the logon status of that user (e.g., codes for "In" or "Out").

The above cited passage of Appelman does not teach the feature of "wherein the data processing system responds to the request if the policy indicates that the data processing system is associated with an employer." As was discussed above regarding claim 1, Appelman does not teach "receiving a request from a user." Therefore, it follows that Appelman does not teach responding to said request. Therefore, Appelman does not teach the feature of "wherein the data processing system responds to the request if the policy indicates that the data processing system is associated with an employer." Thus, Appelman does not anticipate the present invention as recited in claims 7, 40 and 72, because Appelman fails to teach each and every element of claims 7, 40 and 72.

Claims 8, 41 and 73 recite the feature of "wherein the preferences identify a group associated with the user and wherein the policy allows only interaction with members of a same group." Appelman does not teach or suggest this feature. The Examiner points to column 3, lines 34-47 (cited above), column 4, lines 30-47 and 45-54 as well as Figure 2a as teaching this feature:

In the preferred embodiment, when the user first logs into the system, the Buddy List window 40 opens, informing the user which of the user's buddy list members are currently online. The user can either close

this window, or leave it open while visiting other areas of the system. If the Buddy List window 40 is left open, the user has a current, real-time list of all the user's buddies in who are online at any particular moment.

**FIG. 4** is a graphical display of one implementation of the invention, showing a Buddy List Setup window 50 with a buddy list named "Home List" in a scrollable area. Buttons are provided for creating a new buddy list; editing a selected buddy list; deleting a buddy list; viewing the members of a selected buddy list; accessing a Member Directory for the system; and accessing a preferences windows. In the preferred embodiment, each buddy list is shown in the scrollable area with a count of the number of co-users in each list.

The above cited passages do not teach the feature of "wherein the preferences identify a group associated with the user and wherein the policy allows only interaction with members of a same group." Column 3, lines 34-47 of Appelman teaches that a user can create multiple buddy lists and give each list, or group, a different name. This passage does not teach "wherein the preferences identify a group associated with the user and wherein the policy allows only interaction with members of a same group," as it is only teaching the creation of multiple groups of buddies and does not teach anything about interacting with the groups. Therefore this passage does not teach "wherein the preferences identify a group associated with the user and wherein the policy allows only interaction with members of a same group," as recited in claims 8, 41 and 73 of the present invention.

Column 4, lines 30-47 of Appelman teaches that when a user logs on the user sees a list of all the user's buddies and whether they are online or not. This passage does not teach "wherein the preferences identify a group associated with the user and wherein the policy allows only interaction with members of a same group," as it teaches that logon information about all the buddies from all the user's different lists will be displayed simultaneously. This passage of Appelman does not teach about interacting with groups and even if the reference could somehow be construed as doing so, the reference would be teaching interacting with all groups simultaneously, not just one. Therefore this passage does not teach "wherein the preferences identify a group associated with the user and wherein the policy allows only interaction with members of a same group," as recited in claims 8, 41 and 73 of the present invention.



Column 4, lines 45-54 teaches how a buddy list is created and edited. This passage does not teach "wherein the preferences identify a group associated with the user and wherein the policy allows only interaction with members of a same group," as it teaches that in order to add a user to your buddy list you must choose a user who is not a member of the list, or group, and make him a member. Therefore, the user is not having "only interaction with members of a same group." Therefore this passage does not teach "wherein the preferences identify a group associated with the user and wherein the policy allows only interaction with members of a same group," as recited in claims 8, 41 and 73 of the present invention.

Thus, for all the reason stated above, Appelman does not anticipate the present invention as recited in claims 8, 41 and 73, because Appelman fails to teach each and every element of claims 8, 41 and 73.

Regarding claim 9, the Office Action states:

As per claim 9, Appelman teaches the preferences identify a group associated with the requester and wherein the policy allows only interaction with members of a different group (column 3, lines 34-63 and column 5, lines 23-40; each user can have multiple buddy lists by group names, but members of that group can block the user from interaction forcing the user to interact with other user in a different group.)

Office Action dated October 4, 2004, page 4.

However, column 3, lines 34-63 and column 5, lines 23-40 do not teach "members of that group can block the user from interaction forcing the user to interact with other user in a different group," as stated by the Examiner. Column 3 lines 34-63 and column 5, lines 23-40 state:

**FIG. 2a** is a set of symbolic data records showing the basic types of data used by the Buddy List System 26, and the conceptual relationship of data elements. A Group Name table 30 stores user-defined group names for buddy lists. Each user may define multiple buddy lists by group names (two being shown by way of example). Each group name in the Group Name table 30 has an associated Buddy List table 32, comprising multiple records. Each Buddy List table 32 record corresponds to a co-user

("buddy") that the user wishes to track. In the preferred embodiment, the record includes data elements for the screen name (or address, such as an Internet address) of a particular co-user to be tracked, and the logon status of that user (e.g., codes for "In" or "Out").

**FIG. 2b** is a set of symbolic data records showing the basic types of data used by one embodiment of the invention for a Permissions List 34, and the conceptual relationship of data elements. Each user in the system has an associated Block Status code. If a user's Block Status code is equivalent to "none", then no co-user may enter that user into the co-users buddy lists. If a user's Block Status code is equivalent to "all", then all co-users may enter that user into their buddy lists. If a user's Block Status code is equivalent to "all except", then all co-users except those entered in a linked Exclusion List 36 may enter that user into their buddy lists. If a user's Block Status code is equivalent to "none except", then only co-users entered in a linked Inclusion List 38 may enter that user into the co-user's buddy lists. In one embodiment, a user may only have one of an Inclusion List 36 and an Exclusion List 48.

Allow only the members below. This option restricts all members from adding the user to their buddy lists and from sending the user "Buddy Chat Invitations" and other information, except for those co-users specifically listed where provided in the window. If set, the appropriate user record in the Permissions List table 34 is marked with a code for "none except" in the Block Status field, and an Inclusion List 38 is linked to the user for storing the names of included co-users.

The above cited passages teach that a user may prevent other users from adding them to their buddy lists. Therefore, these users would not be on a buddy list. Thus, they would not be part of the group. Therefore Appelman does not teach the feature of "wherein the preferences identify a group associated with the user and wherein the policy allows only interaction with members of a different group," as recited in claims 9, 42 and 74 of the present invention. Thus, Appelman does not anticipate the present invention as recited in claims 9, 42 and 74, because Appelman fails to teach each and every element of claims 9, 42 and 74.

Further, even if the above cited passage of Appelman could be construed as teaching that a member of a group could block the user from interacting with that member, it still does not teach "wherein the preferences identify a group associated with the user and wherein the policy allows only interaction with members of a different group." The member blocking his selection as buddy can block or prevent interaction

with him by the user. This activity does not prevent the user from interacting with the other members of the group. Therefore, Appelman does not teach the feature of "wherein the preferences identify a group associated with the user and wherein the policy allows only interaction with members of a different group," as recited in claims 9, 42 and 74 of the present invention. Thus, Appelman does not anticipate the present invention as recited in claims 9, 42 and 74, because Appelman fails to teach each and every element of claims 9, 42 and 74.

Claims 10, 43 and 75 recite the feature of "wherein the preferences identify a group associated with the user and wherein the policy allows only interaction with members of selected groups of members." The Examiner points to column 6, lines 18-43 as teaching this feature:

In the preferred embodiment, a user can "minimize" a buddy list to suppress display of all the co-users in that group. This is preferably implemented so that a double click on the buddy list name will cause all the screen names listed beneath to disappear. In the preferred embodiment, minimized buddy lists are indicated by a "+" symbol next to the buddy list name. Double-clicking on the buddy list name again displays all of the hidden co-users under that name. A user can also keep tabs on each list by checking out the numbers posted in parenthesis next to the buddy list names. This number tells the user how many people on that list are logged in out of the total number of screen names on the buddy list. In the illustrated example, 2 3 means that two of the three people on the "Home List" are currently online. In the preferred embodiment, when the user first logs into the system, the Buddy List window 40 opens, informing the user which of the user's buddy list members are currently online. The user can either close this window, or leave it open while visiting other areas of the system. If the Buddy List window 40 is left open, the user has a current, real-time list of all the user's buddies in who are online at any particular moment.

The illustrated Buddy List window 40 shows a number of buttons for setting up or using buddy lists. Included buttons in the preferred embodiment are: LOCATE, for determining which "chat room" a buddy is in at a particular moment; IM, for sending an "Instant Message"; SETUP, for creating and editing buddy lists or setting buddy list preferences; and BUDDY CHAT, for inviting buddies to a private chat or a favorite place in the system.

The above cited passage does not teach the feature of "wherein the preferences identify a group associated with the user and wherein the policy allows only interaction with members of selected groups of members." Instead, it teaches that the user can select buddies with whom the user wishes to converse and start chat sessions. Therefore, it is the user who chooses which members of the group to interact with, not a policy. Therefore, Appelman does not teach the feature of "wherein the preferences identify a group associated with the user and wherein the policy allows only interaction with members of selected groups of members." as recited in claims 10, 43 and 75 of the present invention. Thus, Appelman does not anticipate the present invention as recited in claims 10, 43 and 75, because Appelman fails to teach each and every element of claims 10, 43 and 75.

Claims 11, 44 and 76 recite the feature of "wherein the user is a member of a group." Appelman does not teach or suggest this feature. The Examiner points to column 3, lines 34-47, previously cited above, as teaching this feature. However, the above cited passage of Appelman does not teach this feature. Instead, the above cited passage of Appelman teaches that buddy lists are grouped and stored under group names. Nowhere in this passage, or anywhere, does Appelman teach or suggest that the user is a member of this group, the buddy list. Furthermore Appelman actually teaches away from "wherein the user is a member of a group." As the buddy list taught in Appelman is used to track whether or not other users are on-line and to request private chats with these other users, it would seem unreasonable that the user himself would be on his own buddy list, keeping track of whether he himself was on and requesting private conversations with himself. Therefore, Appelman does not teach the feature of "wherein the user is a member of a group," as recited in claims 11, 44 and 76 of the present invention. Thus, Appelman does not anticipate the present invention as recited in claim 11, 44 and 76, because Appelman fails to teach each and every element of claims 11, 44 and 76.

Claims 24, 57 and 89 recite the feature of "wherein an existing member of the group can authorize a new member to the group." Appelman does not teach or suggest this feature. The Examiner points to column 5, lines 10-40 as teaching this feature:

Allow all members to add me to their lists invitations.

This option grants permission for all co-users to add the user to their buddy lists and send the user "Buddy Chat Invitations" and other information. If set, the appropriate user record in the Permissions List table 34 is marked with a code for "all" in the Block Status field.

Block all members from adding me to their lists invitations.

This option restricts all co-users from adding the user to their buddy lists and from sending the user "Buddy Chat Invitations" and other information. If set, the appropriate user record in the Permissions List table 34 is marked with a code for "none" in the Block Status field.

Allow only the members below.

This option restricts all members from adding the user to their buddy lists and from sending the user "Buddy Chat Invitations" and other information, except for those co-users specifically listed where provided in the window. If set, the appropriate user record in the Permissions List table 34 is marked with a code for "none except" in the Block Status field, and an Inclusion List 38 is linked to the user for storing the names of included co-users.

Block only the members below.

This option grants permission for all other members to add the user to their buddy lists and send the user "Buddy Chat Invitations" and other information, except for those co-users specifically listed where provided in the window. If set, the appropriate user record in the Permissions List table 34 is marked with a code for "all except" in the Block Status field, and an Exclusion List 36 is linked to the user for storing the names of excluded co-users.

The above cited passage does not teach the feature of "wherein an existing member of the group can authorize a new member to the group." Instead the above cited passage teaches that the user, and only the user, can add other users to his buddy list. Additionally the user can choose to prevent other users from adding him to their buddy lists. However, nowhere does Appelman teach that a member of a user's buddy list can add other users to that buddy list. Therefore, Appelman does not teach the feature of "wherein an existing member of the group can authorize a new member to the group," as recited in claims 24, 57 and 89 of the present invention. Thus, Appelman does not anticipate the present invention as recited in claim claims 24, 57 and 89, because Appelman fails to teach each and every element of claims 24, 57 and 89.

Similarly, claims 25, 58 and 90 recite the feature of "wherein the member of the group can initiate a vote to exclude another member of the group." Appelman does not teach or suggest this feature. The Examiner points to column 5, lines 10-40 as teaching

this feature. As was discussed above in regards to claims 24, 57 and 89, Appelman teaches that the user chooses who to include in a buddy list, the members of the buddy list have no say in what other users are included within the list. . Therefore, Appelman does not teach the feature of "wherein the member of the group can initiate a vote to exclude another member of the group," as recited in claims 25, 58 and 90 of the present invention. Thus, Appelman does not anticipate the present invention as recited in claims 25, 58 and 90, because Appelman fails to teach each and every element of claims 25, 58 and 90.

Therefore, the rejection of claims 1-12, 14-15, 20, 24-25, 31-32, 35, 37-45, 47-48, 53, 57-58, 64-65, 69-77, 79-80, 85, 89-90, and 96-97 under 35 U.S.C. § 102 has been overcome.

Furthermore, Appelman does not teach, suggest or give any incentive to make the needed changes to reach the presently claimed invention. Accordingly, one of ordinary skill in the art would not be led to modify Appelman to reach the present invention when the reference is examined as a whole. Absent some teaching, suggestion or incentive to modify Appelman in this manner, the presently claimed invention can be reached only through an improper use of hindsight using the Applicants' disclosure as a template to make the necessary changes to reach the claimed invention.

### **III. 35 U.S.C. § 103, Obviousness, Claims 13, 26-30 46, 59-63, 78, and 91-95**

The Examiner has rejected claims 13, 26-30 46, 59-63, 78, and 91-95 under 35 U.S.C. § 103 as being unpatentable over Appelman (U.S. Patent No. (6,750,881) in view of MacNaughton et al (U.S. Patent No. 6,020,884). This rejection is respectfully traversed.

As per independent claim 13, the Office Action states:

As per claim 13, Appelman fails to teach a membership in the group based on payment.

However, MacNaughton et al teach a service sign up process that requires billing information for the user (**column 9, lines 6-26**). It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Appelman and MacNaughton because MacNaughton's use of membership fee's in Appelman's system would allow for a peer to peer service to charge a

usage fee in order to pay for servers and internet connections charges that the service occurs.

Office Action dated October 4, 2004, pages 7-8.

The Appelman reference does not teach or suggest all the claim limitations in claims 13, 26-30 46, 59-63, 78, and 91-95, as argued above.

Furthermore, MacNaughton does not cure the deficiencies of Appelman. MacNaughton does not teach the features missing from Appelman, including "comparing preferences within the request to a policy to form a comparison, wherein the policy controls responses by the data processing system to the requests," and "selectively responding to the request based on the comparison," nor does the Examiner cite any portion of MacNaughton that teaches these features.

Thus claims 13, 26-30 46, 59-63, 78, and 91-95 are patentable over the cited references because the combination of the Appelman reference with MacNaughton would not reach the presently claimed invention. The features being relied upon as being taught in the Appelman reference are not taught or suggested by that reference, as explained above. MacNaughton does not cure the deficiencies of Appelman. As a result, a combination of the references would not reach the invention in claims 13, 26-30 46, 59-63, 78, and 91-95.

In view of the above Applicants submit that dependent claims 13, 26-30 46, 59-63, 78, and 91-95 are not taught or suggested by Appelman in view of MacNaughton. Claims 13, 26-30 46, 59-63, 78, and 91-95 are dependent claims depending on independent claims 1, 36 and 68. Applicants have already demonstrated that claims 1, 36 and 68 are in condition for allowance. Applicants respectfully submit that claims 13, 26-30 46, 59-63, 78, and 91-95 are also allowable, at least by virtue of their dependency on allowable claims.

Therefore, the rejection of claims 13, 26-30 46, 59-63, 78, and 91-95 under 35 U.S.C. § 103 has been overcome.

**IV. 35 U.S.C. § 103, Obviousness, Claims 33, 34, 66-67, and 98-99**

The Examiner has rejected claims 33, 34, 66-67, and 98-99 under 35 U.S.C. § 103 as being unpatentable over Appelman (U.S. Patent No. (6,750,881) in view of Friedman (U.S. Patent No. 6,714,791). This rejection is respectfully traversed.

As per independent claim 33, the Office Action states:

As per claim 33, Appelman fails to teach the request is an advertisement.

However, Friedman teaches the use of advertisements in an instant message system (column 3, lines 15-30). It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Appelman and Friedman because Friedman's use of using advertisements in Appelman's system would allow a peer-to-peer service to send advertisements to users based on that user's profile or activity.

Office Action dated October 4, 2004, pages 10-11.

The Appelman reference does not teach or suggest all the claim limitations in claims 33, 34, 66-67, and 98-99, as argued above.

Furthermore, Friedman does not cure the deficiencies of Appelman. Friedman does not teach the features missing from Appelman, including "comparing preferences within the request to a policy to form a comparison, wherein the policy controls responses by the data processing system to the requests," and "selectively responding to the request based on the comparison," nor does the Examiner cite any portion of Friedman that teaches these features.

Thus claims 33, 34, 66-67, and 98-99 are patentable over the cited references because the combination of the Appelman reference with Friedman would not reach the presently claimed invention. The features being relied upon as being taught in the Appelman reference are not taught or suggested by that reference, as explained above. Friedman does not cure the deficiencies of Appelman. As a result, a combination of the references would not reach the invention in claims 33, 34, 66-67, and 98-99.

In view of the above Applicants submit that dependent claims 33, 34, 66-67, and 98-99 are not taught or suggested by Appelman in view of Friedman. Claims 33, 34, 66-67, and 98-99 are dependent claims depending on independent claims 1, 36, and 68.



Applicants have already demonstrated that claims 1, 36 and 68 are in condition for allowance. Applicants respectfully submit that claims 33, 34, 66-67, and 98-99 are also allowable, at least by virtue of their dependency on allowable claims.

Therefore, the rejection of claims 33, 34, 66-67, and 98-99 under 35 U.S.C. § 103 has been overcome.

**V. 35 U.S.C. § 103, Obviousness, Claims 21-23, 54-56 and 86-88**

The Examiner has rejected claims 21-23, 54-56 and 86-88 under 35 U.S.C. § 103 as being unpatentable over Appelman (U.S. Patent No. (6,750,881) in view of Nessett et al (U.S. Patent No. 6,055,236).

As per independent claim 21, the Office Action states:

As per claim 21, Appelman fails to teach the identity of the requester user is authenticated using a certificate.

However, Nessett et al teach authentication is based on a trusted third-party called a Certificate Authority (column 25, lines 25-30). It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Appelman and Nessett because Nessett's use of authentication using a certificate in Appelman's system would allow a peer-to-peer service to use a third party to authenticate a user by proving the user's identity and supplying the service with a public key in which to decrypt the user encrypted message.

Office Action dated October 4, 2004, pages 11-12.

The Appelman reference does not teach or suggest all the claim limitations in claims 21-23, 54-56 and 86-88, as argued above.

Furthermore, Nessett does not cure the deficiencies of Appelman. Nessett does not teach the features missing from Appelman, including "comparing preferences within the request to a policy to form a comparison, wherein the policy controls responses by the data processing system to the requests," and "selectively responding to the request based on the comparison," nor does the Examiner cite any portion of Nessett that teaches these features.

Thus claims 21-23, 54-56 and 86-88 are patentable over the cited references because the combination of the Appelman reference with Nessett would not reach the

presently claimed invention. The features being relied upon as being taught in the Appelman reference are not taught or suggested by that reference, as explained above. Nessett does not cure the deficiencies of Appelman. As a result, a combination of the references would not reach the invention in claims 21-23, 54-56 and 86-88.

In view of the above Applicants submit that dependent claims 21-23, 54-56 and 86-88 are not taught or suggested by Appelman in view of Nessett. Claims 21-23, 54-56 and 86-88 are dependent claims depending on independent claims 1, 36 and 68. Applicants have already demonstrated that claims 1, 36 and 68 are in condition for allowance. Applicants respectfully submit that claims 21-23, 54-56 and 86-88 are also allowable, at least by virtue of their dependency on allowable claims.

Therefore, the rejection of claims 21-23, 54-56 and 86-88 under 35 U.S.C. § 103 has been overcome.

**VI. 35 U.S.C. § 103, Obviousness, Claims 16-19, 49-52, and 81-84**

The Examiner has rejected claims 16-19, 49-52, and 81-84 under 35 U.S.C. § 103 as being unpatentable over Appelman (U.S. Patent No. (6,750,881) in view of Walker et al (U.S. Patent No. 5,862,223).

As per independent claim 16, the Office Action states:

As per claim 16, Appelman fails to teach that members in a group exchange compensation for the interaction.

However, Walker et al teach that users can bid for expert services on an electronic auction (column 10, lines 27-43 and column 6, lines 55-65). It would have been obvious to one of the ordinary skill in the art at the time of the applicant's invention to combine the teachings of Appelman and Walker et al because Walker et al's use of an electronic auction in Appelman's system would allow for members of the peer to peer service to auction goods and service by using instant messages to communicate and exchange compensation for these goods and services.

Office Action dated October 4, 2004, page 13.

The Appelman reference does not teach or suggest all the claim limitations in claims 16-19, 49-52, and 81-84, as argued above.

Furthermore, Walker does not cure the deficiencies of Appelman. Walker does not teach the features missing from Appelman, including "comparing preferences within the request to a policy to form a comparison, wherein the policy controls responses by the data processing system to the requests," and "selectively responding to the request based on the comparison," nor does the Examiner cite any portion of Walker that teaches these features.

Thus claims 16-19, 49-52, and 81-84 are patentable over the cited references because the combination of the Appelman reference with Walker would not reach the presently claimed invention. The features being relied upon as being taught in the Appelman reference are not taught or suggested by that reference, as explained above. Walker does not cure the deficiencies of Appelman. As a result, a combination of the references would not reach the invention in claims 16-19, 49-52, and 81-84.

In view of the above Applicants submit that dependent claims 16-19, 49-52, and 81-84 are not taught or suggested by Appelman in view of Walker. Claims 16-19, 49-52, and 81-84 are dependent claims depending on independent claims 1, 36 and 68. Applicants have already demonstrated that claims 1, 36 and 68 are in condition for allowance. Applicants respectfully submit that claims 16-19, 49-52, and 81-84 are also allowable, at least by virtue of their dependency on allowable claims.

Therefore, the rejection of claims 16-19, 49-52, and 81-84 under 35 U.S.C. § 103 has been overcome.

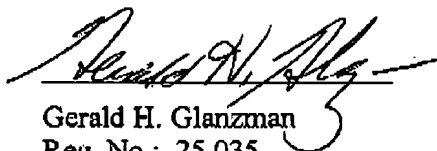
**VII. Conclusion**

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: January 4, 2004

Respectfully submitted,



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